IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WA.No. 1738 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.478/2007 Dated 22/01/2007
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APPELLANT: 1ST RESPONDENT

KERALA ELECTRICAL AND ALLIED
ENGINEERING CO., LTD.,(KEL IN SHORT),
REP.BY ITS MANAGING DIRECTOR, 7TH FLOOR,
KERALA STATE HOUSING BOARD BUILDING,
PANAMPILLY NAGAR, KOCHI-36.

BY ADV. SRI.ASOK M.CHERIAN

RESPONDENTS: PETITIONERS AND RESPONDENTS 2 AND 3
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1. E.V.MATHAI, S/O.VARKEY,
ELAYIDATHU PARAMBIL, KAKKADU KARA,
MAMALA.

2. P.V.KURIAKOSE, S/O.VARKEY,
PAZHAMPILLIL HOUSE, THIRUVANKULAM P.O.

3. P.P.MATHAI, S/O.PAULOSE,
PUTHENPURACKAL HOUSE, KUREEKADU P.O.,
THIRUVANKULAM.

4. STATE OF KERALA,
REP.BY THE PRINCIPAL SECRETARY,
INDUSTRIES (D) DEPARTMENT,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

5. THE LABOUR COMMISSIONER,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.SANDESH RAJA
ADV.SRI.A.T.ANIL KUMAR

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.A. NO. 1738 OF 2007

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Dated this the 20th day of July, 2007

J U D G M E N T

Radhakrishnan, J.

The issue raised in the appeal is already covered by judgment in WA No.1861/06 and connected matters. Those appeals were dismissed on October 2006, holding that the liability to make the payment rests with the employer and not with the Government. This appeal is also dismissed in terms of the judgment in WA No.1861/2006 and connected matters.

Writ appeal is dismissed.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp